CF1002

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
W.P. (S) No. 5703 /2006 (S.B.)

PETITIONER

RUPESH PANDEY
S/o Shri M.P.Pandey
Aged about 35 years
Occupation-Assistant
Project Officer, Jila
Panchayat, Korba
R/o Sitamani Korba
District, Korba, (C.G.)

P.R. No. 5720/06
Presented by B.L. Sahu
dated 12/10/06

VERSUS

RESPONDENTS

1. **SECRETARY**
Panchayat and Rural
Development department
D.K.S.Bhawan
Mantrayalay Raipur
Chhattisgarh

2. **Joint Secretary**
Panchayat and Rural
Development department
D.K.S.Bhawan
Mantrayalay Raipur
Chhattisgarh

3. **Collector –Korba**
District, Korba, (C.G.)

4. **Chief Executive Officer**
Jila Panchayat Korba
District, Korba, (C.G.)

5. **Smt. Shakuntala Kanwar**
Chairperson, Jila
Panchayat Korba
District, Korba, (C.G.)

ATTESTED-COPY
12/10/06
CLERK to A. G. BILASPUR

Prakash Tiwari
ADVOCATE

OATH COMMISSIONER
APARNA MALVIYA
CG-2073/96
Bilaspur Chhattisgarh
12/10/06

WRIT UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDERS OR DIRECTION.

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P(S).No.5703/06 **सन्** **200**

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

30/11/2006

Shri Prakash Tiwari, learned counsel for the petitioner.

Smt. Anju Ahuja, Dy. Govt. Advocate for respondents No. 1 to 3/State.

None for other respondents.

Heard.

Petitioner has filed this writ petition being aggrieved by the order dated 03/10/2006 passed by the State Government, whereby he has been suspended from his services on account of irregularities committed by him in Government duty. The order has been passed under Rule 9 of Chhattisgarh Civil Services (Classification, Control and Appeal) Rules, 1966 (henceforth, "the Rules").

Petitioner has made declaration in his writ petition that he has availed all the statutory and other remedies available under the relevant provisions. Here in the instant case, the said declaration is not correct as under the said Rules, Rule 23 provides appeal from the order of suspension made under Rule 9 of the Rules. When apparently statutory remedy is available with the petitioner, instead of invoking competent jurisdiction of appeal, he has approached this Court to step in under Article 226/227 of the Constitution of India.

With the above observation, the writ petition is disposed of.

Sd/-
V.K.Shrivastava
Judge

Raju

02/12/06

(पीछे देखिये)